

**Filed 9/27/05 by Clerk of Supreme Court**  
**IN THE SUPREME COURT**  
**STATE OF NORTH DAKOTA**

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2005 ND 162

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State of North Dakota,

Plaintiff and Appellee

v.

Terry Marcell Allen,

Defendant and Appellant

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No. 20050102

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Appeal from the District Court of Cass County, East Central Judicial District,  
the Honorable Steven E. McCullough, Judge.

AFFIRMED.

Per Curiam.

Charles B. Neff (argued), appearing under the rule on the limited practice of  
law by law students, and Mark R. Boening (appeared), Assistant State's Attorney,  
P.O. Box 2806, Fargo, ND 58108-2806, for plaintiff and appellee.

Monty G. Mertz, P.O. Box 10396, Fargo, ND 58106-0396, for defendant and  
appellant.

**State v. Allen**

**No. 20050102**

**Per Curiam.**

[¶1] Terry Marcell Allen appealed from a criminal judgment and commitment entered upon a jury verdict. The jury found Allen guilty of robbery, a class B felony. Allen claims there was insufficient evidence to support the verdict. We summarily affirm the trial court's judgment under N.D.R.App.P. 35.1(a)(3).

[¶2] Gerald W. VandeWalle, C.J.  
Carol Ronning Kapsner  
Mary Muehlen Maring  
Daniel J. Crothers  
Dale V. Sandstrom